

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

CORTNE MARESSE ROBINSON,

Petitioner,

v.

DIRECTOR, TDCJ-CID,

Respondent.

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CIVIL ACTION NO. 1:17-cv-11

SCHEDULING ORDER

The present proceedings were begun on January 13, 2017. Counsel has been appointed to represent Petitioner, and attorneys for both sides have filed notices of appearance. At this juncture, Petitioner needs to either pay the filing fee or submit an application to proceed *in forma pauperis*. It is noted that the Texas Court of Criminal Appeals denied Petitioner's application for a writ of habeas corpus on November 9, 2016. *Ex parte Robinson*, No. WR-81,583-01, 2016 WL 6610373 (Tex. Crim. App. Nov. 9, 2016). The deadline for filing the petition will be set for one year from the issuance of the decision by the Texas Court of Criminal Appeals, although the setting of this date is not determinative of whether the petition is timely for purposes of the statute of limitations established by AEDPA. *See Prieto v. Quarterman*, 456 F.3d 511, 514-15 (5th Cir. 2013). The parties should assure themselves that their filings are timely under applicable law and procedural rules. The Court will examine the petition for timeliness once all pleadings and the state court records are filed. Finally, the parties are placed on notice of Local Rule CV-3 regarding page limitations, tables of contents and tables of authorities. It is therefore

ORDERED that Petitioner has thirty (30) days from the entry of this order to either (1) pay the five dollar filing fee in this cause to the Clerk of Court, or (2) file a completed application for leave to proceed *in forma pauperis*, including a certified copy of Petitioner's inmate trust account statement available from the law librarian at Petitioner's TDCJ facility. It is further

ORDERED that the petition for a writ of habeas corpus is due no later than November 9, 2017. The case may be dismissed for want of prosecution if the petition is not filed by November 9, 2017. It is further

ORDERED that the deadline for the Director to file a response to the petition is three months from the time the petition is filed. It is further

ORDERED that the deadline for Petitioner to file a reply to the response is one month from the time the response is filed. It is finally

ORDERED that the Clerk of Court shall correct the style of the case on the docket sheet to note that the Respondent is the Director, TDCJ-CID, as opposed to Lorie Robinson.

SIGNED this 14th day of February, 2017.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE